

Terry Nestor
City of Cincinnati Solicitor's Office
801 Plum St, Room 214
Cincinnati, Ohio 45202
Fax: (513) 352-1515

Dear Mr. Nestor:

I live at 545 Burr Oak St. I am writing to follow up on my damages claim with the City/MSD because of the sewage backup in my basement on 2006

On February 2, 2007, I received an offer of \$18,000.00 on my damages claim from the City. I disagree with the amount offered. I have enclosed photos of the walls in my basement that were removed by the workers hired by the City/MSD. This action has caused my family and I to go through these subzero temperature days in a very cold state. I also had a door removed and two others soaked in sewage. My furnace and hot water heater were also damaged. These items alone will cost more than the offer given by the city.

I am a disabled veteran and a kidney transplant patient. A lot of the equipment that we had was soaked in sewage that entered in our basement. My immune system as a kidney transplant patient is already compromised. With the sewage entering into our basement this could further compromise my health. So with the basement, audio and weight equipment, tools and more that were damaged I would like to make a counter-offer. My counter-offer is \$41,000.00. I would like to also inform you that we did not receive any compensation from our insurance company.

If I do not hear back from the City by ten business days March 20, 2007, I intend to file my Request for review on this issue with the Federal Court.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert W. Duett", with a stylized flourish at the end.

Robert W. Duett
545 Burr Oak St.
(513) 541- 4348

RELEASE

THAT, **Robert Duett**, 545 Burr Oak Street, Cincinnati, Ohio 45232, for the sole consideration of **EIGHTEEN THOUSAND AND 00 /100 DOLLARS (\$18,000.00)**, received by him to his satisfaction from the City of Cincinnati, on behalf of the City of Cincinnati, its employees, successors and assigns, does hereby, release and forever discharge said City of Cincinnati, its employees, successors and assigns to the date of these presents, from any and all claims, demands, actions and causes of actions whatsoever, or in any manner arising from an incident on June 23, 2006, at 545 Burr Oak Street, in Cincinnati, Ohio.

It is further understood and agreed that the payment of said amount of money as stated above is not to be construed as an admission of liability on the part of the City of Cincinnati, its employees, successors or assigns; liability by them being expressly denied. It is expressly understood and agreed that the payment of the above stated sum of money is the sole consideration of this release and the consideration stated herein is contractual and not a mere recital. It is expressly understood and agreed that all agreements and understandings between the parties are embodied and expressed herein.

IN WITNESS WHEREOF, I have hereunto set my hand at Cincinnati, Ohio
this _____ day of _____, 2007.

Robert Duett

WITNESSED BY:

City of Cincinnati



Office of City Solicitor

Room 214, City Hall
801 Plum Street
Cincinnati, Ohio 45202
Phone (513) 352-3334
FAX (513) 352-1515

February 2, 2007

Robert Duett
545 Burr Oak Street
Cincinnati, Ohio 452323

J. Rita McNeil
City Solicitor

Dear Mr. Duett:

Enclosed is a release for your signature. Please sign this release and return it to me at your convenience. The second copy is for your records.

After you have signed and returned this release to me, I will forward the City of Cincinnati's check in settlement of your claim to you. Please do not alter the release, as it will delay settlement of your claim.

If you disagree with the City's disposition of your claim, you may appeal the decision through standard legal process in the courts of Hamilton County in the Hamilton County Municipal Court or the Court of Common Pleas, both of which are located at 1000 Main Street, Cincinnati, Ohio 45202.

Alternatively, in accordance with an order in the Consent Decree case, Federal Case # C-1-02-107, you may file a Request for Review with the Federal Court in Cincinnati, Ohio. You should file your Request within 90 DAYS (by April 26, 2007) with the Clerk's Office of the Federal Court located in the Potter Stewart U.S. Courthouse, Room 103, 100 East 5th Street, Cincinnati, Ohio 45202. You may call the Ombudsman at (513) 362-2801 (Legal Aid Society) for further information concerning your rights.

Sincerely,

Shirley Lenzly
Claims Administrator

enclosures

City of Cincinnati



Office of City Solicitor

Room 214, City Hall
801 Plum Street
Cincinnati, Ohio 45202
Phone (513) 352-3334
FAX (513) 352-1515

February 2, 2007

Robert Duett
545 Burr Oak Street
Cincinnati, Ohio

J. Rita McNeil
City Solicitor

Re: Water in Basement Claim

Dear Mr. Duett:

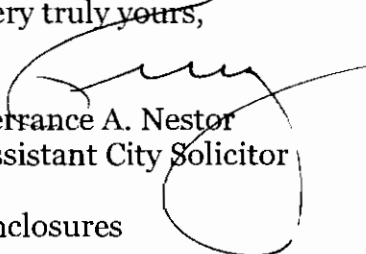
This office is charged with reviewing damage claims related to the Metropolitan Sewer District's water in basement program. Your claim was sent to the MSD, but it appears that your damages were the result of a failed fire hydrant. Fire hydrants are not maintained by the MSD.

Considering that you did have numerous items removed and cleaned through the water in basement program, the City has considered your damaged items and is offering a settlement of \$18,000.00. I have enclosed a copy of the release. The second copy is for your records.

If you disagree with the City's disposition of your claim, you may appeal the decision through the standard legal process in the courts of Hamilton County, located at 1000 Main Street, Cincinnati, Ohio 45202.

Alternatively, in accordance with an order in the Consent Decree case, Federal Case #c-1-02-107, you may file a request for review with the Federal Court in Cincinnati, Ohio. You should file your request with 90 DAYS (by May 2, 2007) with the Clerk's Office of the Federal Court located in the Potter Stewart U.S. Courthouse, Room 103, 100 East 5th Street, Cincinnati, Ohio 45202. You may call the Ombudsman at (513) 362-2801 (Legal Aid) for further information concerning your rights.

Very truly yours,


Terrance A. Nestor
Assistant City Solicitor

Enclosures

ITEMS	MODEL	PRICE	AMOUNT	Half the Price
Power Amplifier	Peavey CS 800	\$ 999.00	1	\$ 499.99
Guitar Amplifier	Peavey	\$ 199.00	1	\$ 99.99
Mid Range Speakers		\$ 839.94	6	\$ 419.97
Bass Speakers	Peavey MB-2	\$1190.00	2	\$ 595.00
Control Board	Peavey Mark III	\$ 999.99	1	\$ 499.99
Speakers w/3 horn	Gemini	\$ 719.98	2	\$ 359.99
Speakers w/1 horn	Yamaha	\$ 958.00	2	\$ 479.00
Microphone Stands	Groove Pak	\$ 119.98	2	\$ 59.99
Digital Cassette Player	Phillips DCC	\$ 599.99	1	\$ 299.99
Control Board	Teavey 8, Channel	\$ 599.99	1	\$ 299.99
Amplifier PA	SP 80 300 watts	\$ 599.00	1	\$ 299.99
Microphone	Realistic	\$ 29.00	1	\$ 14.50
Graphic Equalizer	Biamp EQ270A	\$ 89.99	1	\$ 44.99
Monitors Speakers	Peavey	\$ 499.98	2	\$ 249.99
Power Amplifier	Peavey M-3000	\$ 899.99	1	\$ 449.99
Timer		\$ 50.00	1	\$ 25.00
Speakers w/o Case	18in	\$ 339.98	2	\$ 169.99
Speakers w/o Case	15in	\$ 279.98	2	\$ 139.99
Case on wheels		\$ 399.99	1	\$ 169.99
			TOTAL	\$ 5,008.34
Ski Machine	Precor USA 515e	\$399.99	1	\$ 169.99
Exercise Bike	Lifestyler Cardio Fit	\$299.99	1	\$ 149.99
Weight Machine	200lbs Power Booster	\$599.99	1	\$ 299.99
Treadmill Electric	Power Tac DP	\$549.99	1	\$ 274.99
Stairmaster Machine	DP Fit For Life Step n Twist	\$249.99	1	\$ 124.99
Weight Beach	Body by Jake	\$ 99.99	1	\$ 49.99
Stair Stepper Plates		\$ 69.99	1	\$ 34.99
Exercise Mat		\$ 50.00	1	\$ 25.00
Table Tennis		\$249.99	1	\$ 124.99
Weight Set Women's		\$ 29.99	1	\$ 14.99
Weight Set Men's	Weight Set 150 pd	\$145.00	1	\$ 72.50
Baseball Bats	3 metal	\$207.00	3	\$ 103.50
Exercise Tapes	Exercise ball, Yoga, Pilates	\$ 89.70	6	\$ 44.85
Running Machine	Breeze Pro	\$399.99	1	\$ 199.99
Exercise Ball		\$ 69.99	1	\$ 34.99
		TOTAL	\$ 1725.74	
Washer	Kenmore Elite Oasis	\$ 999.99	1	\$ 499.99
Records	Footlocker	1650 albums \$ 2.50 ea	\$4125.00	\$2062.50
Records	Creates	400 albums \$ 2.50 ea	\$1000.00	\$ 500.00
		TOTAL	\$ 2562.50	

USED ITEMS FROM THE FLOOD DAMAGE LIST.

Item	Make	Amount	Price	Half the Price
Computer	Macintosh/Apple	1	\$899.00	\$ 449.50
Bunk Bed	Solid Oak wood	1	\$500.00	\$ 250.00
Suitcase	Black	1	\$ 49.99	\$ 24.99
CD Stands	Assorted holds 200 each	3	\$ 90.00	\$ 45.00
Pictures	Black Art	5	\$ 40.00	\$ 20.00
Folding Chair	Walgreen's	1	\$ 25.00	\$ 12.50
Tree Trimmer		1	\$ 48.99	\$ 24.49
Army Duffle bag	US Army	1	\$ 34.95	\$ 17.48
VHS Tapes	Assorted	20	5.00ea (100.00)	\$ 50.00
Box of Tide	Procter and Gamble	1	\$ 16.95	\$ 8.48
Sleeping Bag Large	Slumberjack	1	\$ 63.99	\$ 32.00
Sleeping Bag	Green Bay Packers	1	\$ 35.99	\$ 18.00
Blanket 7 colors		1	\$ 45.00	\$ 22.50
Ear Rings	Gold	8 sets	\$250.00	\$ 125.00
Curtains		4 sets	\$ 90.00	\$ 45.00
Computer Chair		1	\$ 79.00	\$ 39.50
CD/Video Cabinet		1	\$ 30.00	\$ 15.00
Computer	Compaq	1	\$1329.97	\$ 664.99
White Rocking Chair		1	\$300.00	\$ 150.50
Navy Pea Coat		1	\$144.99	\$ 72.50
Timer		1	\$ 30.00	\$ 15.00
Printer	Apple Laser Writer 520	1	\$ 149.99	\$ 75.00
Printer	H.P. Office Jet 6310	1	\$ 279.99	\$ 140.00
Scanner	H.P.	1	\$ 119.99	\$ 60.00
Baseball Bats	Assorted	11	\$ 55.00	\$ 27.50
Living Room Table	Table w/four glass tops	1	\$699.00	\$ 349.50
Kitchen Table		1	\$450.00	\$ 225.00
Printer	H.P. Office	1	\$149.99	\$ 75.00
Bookshelf	3 shelf's 1drawer	1	\$ 70.00	\$ 35.00
Handmade Cane	Cane Handmade	1	\$ 15.00	\$ 7.50
Metal Shelve	Space Solutions		\$ 25.00	\$ 12.50
CD Holder	Oak Wood	1	\$ 30.00	\$ 15.00
Bookshelf	4 shelf's 1drawer	1	\$ 50.00	\$ 25.00
Christmas Tree		1	\$249.00	\$ 124.50
Car Jack		1	\$250.00	\$ 125.00
		TOTAL	\$ 3,353.93	

NEW ITEMS ON THE FLOOD DAMAGE LIST.

[illegible]



PHOTO LOG FOR WIB # 1291 ADDRESS 545 Burr Oak St.
 PHOTOGRAPHED BY: Chris Sandman DATE: 6.24.6

Photo # Room # Comments:

1-11		Martie + Tera's overviews from 6.23.6
12-20		overviews
21-42		items removed or no value (same)
43		Bunk bed
44		Mac CPU
45		Lucas suitcase
46		no value pile
47		limb trimmer
48		Green chair
49		duffle bag
50		bags
51		car item
52		Jeckot and sweater
53		light and cord
54		Display stand
55		shower kit
56		scouter
57		Hockey table legs



PHOTO LOG FOR WIB # 1891 ADDRESS 545 Burr Oak St

PHOTOGRAPHED BY: Chas Sandman DATE: 6.24.6

Photo # Room # Comments:

58		tools
59		bag of videos
60		Bunk bed parts
61		ski machine
62		ski machine maker
63		sheet of paneling
64		weights
65		screen door
66		basement door
67		new view of cleaned garage
68		no valve pit
69		garage door
70		blanket
71		hose wheel
72		small bag of tools
73		more tools - jig saw, hole saw, duck tape, chisel, blades
74		clothes



PHOTO LOG FOR WIB # 1891 ADDRESS 545 Burr Oak St.
 PHOTOGRAPHED BY: Chrs Sandman DATE: 6.24.6

Photo # Room # Comments:

75		clothes
76		Jacket
77		dining chair
78		saw
79		exerciser bike
80		" " in RO
81		" " maker
82		grinder
83		Tide soap
84		pile of clothes
85		sleeping bag
86		tags
87		Yoga tapes
88		suit
89		green Bay blanket
90		smoker
91		suit, park
92		crayon blanket



PHOTO LOG FOR WIB # 1291 ADDRESS 545 Burr Oak St.
 PHOTOGRAPHED BY: Chrs Sandman DATE: 6.24.4

Photo # Room # Comments:

93		jewelry (left on-site)
94		dryer bag
95		hiltiger bag
96		curtain
97		cabinet, press board
98		office chair
99		rocking chair
100		key board
101		printer cartridge
102		monitor (part of mac system)
103		alarm
104		pea coat
105		speaker
106		timer clock
107		plant
108		Mirror + frame set
109		colander
110		set of bowl



PHOTO LOG FOR WIB # 1291 ADDRESS 545 Burr Oak St
 PHOTOGRAPHED BY: Chris Sandman DATE: 6.24.6

Photo # Room # Comments:

111		serving bowl
112		5 piece setting
113		bed rag
114		Gateway monitor
115		" " I.D.
116		weights
117		hair dryer
118		weight machine
119		" " Identification
120		Gravy boat
121		tread mill
122		" " marker
123		step n' twist machine
124		" "
125		Breeze pro machine
126		" " "
127		weight bench
128		printer, mac lazerwriter 320



PHOTO LOG FOR WIB # 1291 ADDRESS 545 Burr Oak st
 PHOTOGRAPHED BY: Chris Sandman DATE: 6.24.6

Photo # Room # Comments:

129		scanner
130		ltp printer
131		copper table
132		speakers, (more).
133		2 pots
134		4 pictures
135		steam express
136		coleman lamp
137		ball
138		coke grill, po
139		table tennis
140		weigh set, green
141		2 door, tall, shelf
142		candle set
143		ltp printer
144		Taylor Fragrance
145		candles
146		3' high table



PHOTO LOG FOR WIB # 1091 ADDRESS 545 Burr Oak St.

PHOTOGRAPHED BY: Chris Sandman DATE: 6.24.6

Photo # Room # Comments:

147		cane
148		shelf, press board
149		dryer
150		dryer maker
151		washer
152		washer maker
153		digital cassette player
154-55		" " " info.
156		metal shelf
157		no value pile
158		tall shelf
159		clothes rack
160		CD rack
161		albums
162		wedding shoes
163		2 CD racks
164-167		overview of emptied areas
168		overview of saved items



PHOTO LOG FOR WIB # 1291 ADDRESS 545 Burr Oak St.

PHOTOGRAPHED BY: Chris Sandman DATE: 6.24.6

Photo # Room # Comments:

169		master AMP
170		AMP, again
171		AMP INFO.
172		MICRO WAVE
173		" " INFO
174		MIC Keyboard and component
175		speaker
176		PA system
177		" " INFO
178		" " inside
179		?
180		speaker
181		speaker
182		" " INFO
183		MIC stands
184		Mixing board
185		" " INFO.
186		AMP case
187		8 channel mixer
188		power AMP



PHOTO LOG FOR WIB # 1291 ADDRESS 545 Burr Oak St

PHOTOGRAPHED BY: Chris Sanderson DATE: 6-24-6

Photo #	Room #	Comments:
1	101	Room 101 is empty.
2	102	Room 102 is empty.
3	103	Room 103 is empty.
4	104	Room 104 is empty.
5	105	Room 105 is empty.
6	106	Room 106 is empty.
7	107	Room 107 is empty.
8	108	Room 108 is empty.
9	109	Room 109 is empty.
10	110	Room 110 is empty.
11	111	Room 111 is empty.
12	112	Room 112 is empty.
13	113	Room 113 is empty.
14	114	Room 114 is empty.
15	115	Room 115 is empty.
16	116	Room 116 is empty.
17	117	Room 117 is empty.
18	118	Room 118 is empty.
19	119	Room 119 is empty.
20	120	Room 120 is empty.
21	121	Room 121 is empty.
22	122	Room 122 is empty.
23	123	Room 123 is empty.
24	124	Room 124 is empty.
25	125	Room 125 is empty.
26	126	Room 126 is empty.
27	127	Room 127 is empty.
28	128	Room 128 is empty.
29	129	Room 129 is empty.
30	130	Room 130 is empty.
31	131	Room 131 is empty.
32	132	Room 132 is empty.
33	133	Room 133 is empty.
34	134	Room 134 is empty.
35	135	Room 135 is empty.
36	136	Room 136 is empty.
37	137	Room 137 is empty.
38	138	Room 138 is empty.
39	139	Room 139 is empty.
40	140	Room 140 is empty.
41	141	Room 141 is empty.
42	142	Room 142 is empty.
43	143	Room 143 is empty.
44	144	Room 144 is empty.
45	145	Room 145 is empty.
46	146	Room 146 is empty.
47	147	Room 147 is empty.
48	148	Room 148 is empty.
49	149	Room 149 is empty.
50	150	Room 150 is empty.
51	151	Room 151 is empty.
52	152	Room 152 is empty.
53	153	Room 153 is empty.
54	154	Room 154 is empty.
55	155	Room 155 is empty.
56	156	Room 156 is empty.
57	157	Room 157 is empty.
58	158	Room 158 is empty.
59	159	Room 159 is empty.
60	160	Room 160 is empty.
61	161	Room 161 is empty.
62	162	Room 162 is empty.
63	163	Room 163 is empty.
64	164	Room 164 is empty.
65	165	Room 165 is empty.
66	166	Room 166 is empty.
67	167	Room 167 is empty.
68	168	Room 168 is empty.
69	169	Room 169 is empty.
70	170	Room 170 is empty.
71	171	Room 171 is empty.
72	172	Room 172 is empty.
73	173	Room 173 is empty.
74	174	Room 174 is empty.
75	175	Room 175 is empty.
76	176	Room 176 is empty.
77	177	Room 177 is empty.
78	178	Room 178 is empty.
79	179	Room 179 is empty.
80	180	Room 180 is empty.
81	181	Room 181 is empty.
82	182	Room 182 is empty.
83	183	Room 183 is empty.
84	184	Room 184 is empty.
85	185	Room 185 is empty.
86	186	Room 186 is empty.
87	187	Room 187 is empty.
88	188	Room 188 is empty.
89	189	Room 189 is empty.
90	190	Room 190 is empty.
91	191	Room 191 is empty.
92	192	Room 192 is empty.
93	193	Room 193 is empty.
94	194	Room 194 is empty.
95	195	Room 195 is empty.
96	196	Room 196 is empty.
97	197	Room 197 is empty.
98	198	Room 198 is empty.
99	199	Room 199 is empty.
100	200	Room 200 is empty.

[illegible]

COMPLAINT FORM

Date: 06/23/2006

Time: 07:42

Complaint #: 125365 Maximo #:183491

Received: GMI

CALLER INFORMATION

Name: DUETT KIMBERLY

Agency: Private

Address:

Business Phone:

Home Phone: 541-4348

PROBLEM LOCATION

Address: 545 BURR OAK ST

45232

City/Township: CINC

Nearest Intersection: CHICKERING AV

WNTPLA

Detailed Location Information: USNG 1M:GJ1475438874

Condition Reported: Water - In - Basement

Comments: WIBNow:Y SRC:Fldrain Freq:1st P:N. NO PRIORS.

Current Condition: Water - In - Basement

ON SITE INSPECTION

Date: 06/23/2006

Unit Number: 443

Dispatch Time: 08:30

Arrival Time: 09:00

Completion Time: 10:30

Condition Found: Main Line Clog or Blockage

Action Taken:

Comments: CWW FIRE HYDRANT SERVICE VALVE FAILRD & BACKED UP 12" COMBINATION ML BACK UP THRU FLOOR DRAIN IN BASEMENT. MHS FROM 34116003 TO 32512026 WERE SURCHARGED. WATER IN BASEMENT WENT OUT WHEN CWW TURNED OFF WATER ML. ADVISED ABOUT ML BACK UP & ETC WILL BE CALLING. DMR 6-23-06
GARY MILLER SENT FLUSH VAC & ETC AT 12:30 PM. JOE HOMER 6-23-06

Damage Claims



Procedure for filing a claim with the city of Cincinnati:

1. Send a letter describing the incident.
2. A statement of the cost incurred.
3. A copy of your insurance coverage relevant to the claim.*
4. Send to:



City Solicitor
City of Cincinnati
801 Plum Street
City Hall, Room 214
Cincinnati, Ohio 45202
(phone 352-4518)

* Section 2744.05(B) of the Ohio Revised Code limits the rights of a person who has a claim against a municipal corporation to the amount of the loss sustained less the total of all insurance benefits the person is entitled to receive under all applicable insurance policies. The net effect of this provision is that the city of Cincinnati is liable only for the payment of your insurance deductible and any other item of damage of expense not covered by your insurance policy.

Job Order:

Last Referral:

Last Referral Date: 06/27/2006

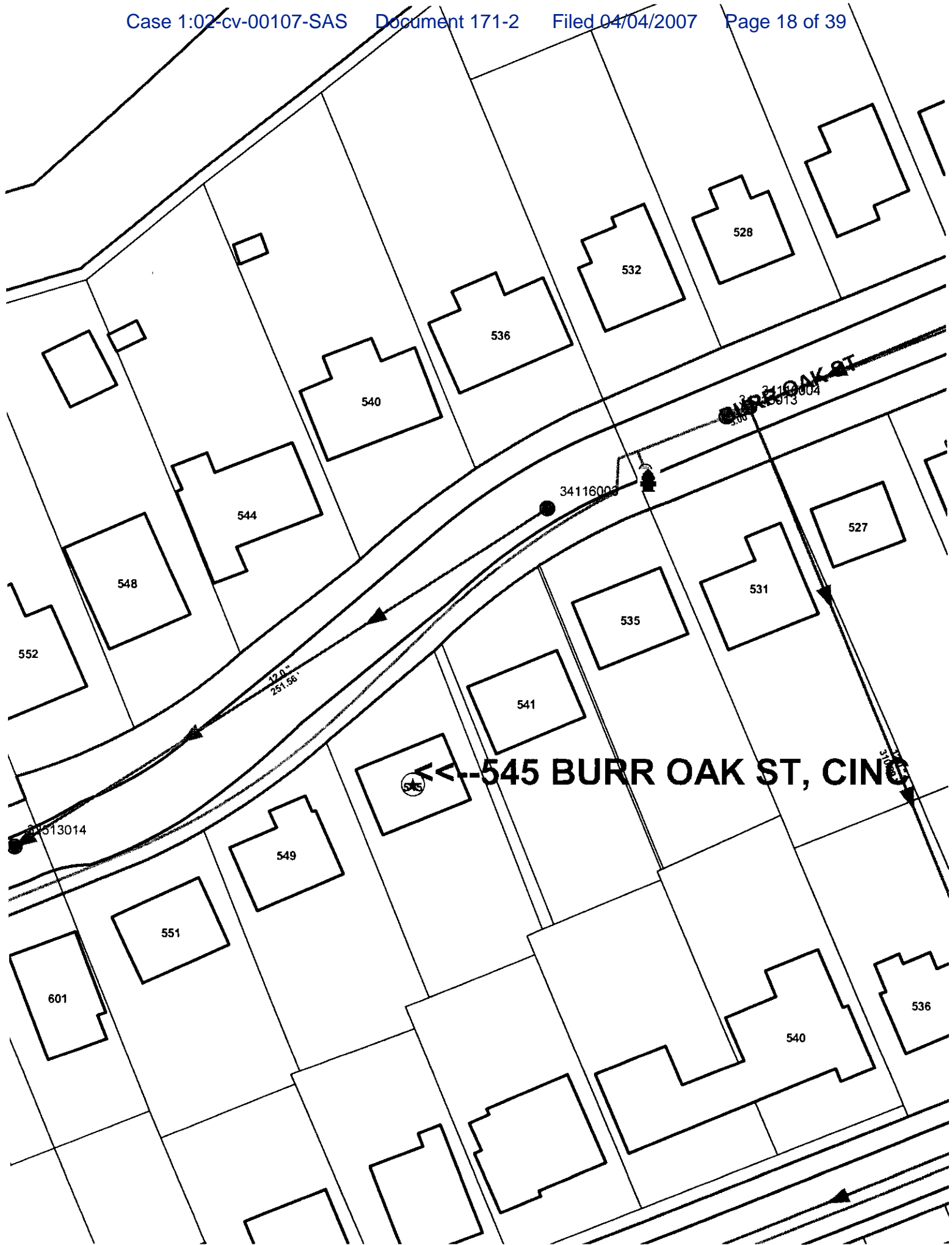
For:

Final Disposition

By: AKR

Date: 06/26/2006

Responsibility Of: Metropolitan Sewer Distri



**Audio & Video Equipment**

1738 TENNESSEE AVE, CINCINNATI OH 45229

PHONE 513-242-7400

FAX 513-482-3332

sales@icbaudio.com

www.icbaudio.com

RECORD#	PAGE#	CUSTOMER	INITIALS	DATE	REVISION DATE
6420	1	ROBERT DUETT	KK	7/7/06	

PA SYSTEM

REPLACEMENT EQUIPMENT FOR WATER DAMAGED OLD EQUIPMENT

QTY	INVENT#	PRODUCT	LIST\$EA	LIST \$ QTY	SELL \$ QTY
1.00	10301	MACKIE 1642-VLZ PRO 16 CH MIXER 8	749.00	749.00	561.75
1.00	8444	BEHRINGER CX3400 STEREO 2-WAY/ 3-WAY	159.99	159.99	129.99
2.00	15114	JBL JRX 112M 12" TWO-WAY MONITOR	450.00	900.00	461.25
2.00	15115	JBL JRX 115 15" TWO-WAY SPEAKER	379.00	758.00	473.75
2.00	15117	JBL JRX118S 18" SUBWOOFER	529.00	1058.00	686.25
2.00	16008	COMMUNITY MVP15M 15" MONITOR WEDGE	448.00	896.00	447.50
2.00	13293	QSC RMX 1850HD 360 WATTS @ 8 OHMS	649.00	1298.00	972.50
2.00	10674	QSC RMX 2450 AMP 475W/CH@8OHMS	899.00	1798.00	1172.50
1.00	9187	TASCAM CD-A500 RK MOUNT CD-CASSETTE	450.00	450.00	351.25
1.00	10794	DBX 1215 DUAL 15 BAND EQ	349.95	349.95	237.48
1.00	505	SHURE SM58-LC DYNAMIC, UNIDIRECTIONAL	188.00	188.00	99.00
2.00	14122	ON-STAGE MS7701B TRI-POD W/ BOOM MIC	32.49	64.98	39.99
1.00	17339	LM ENGINEERING ATA 24-U 3/8" W/CASTERS	899.00	899.00	681.25
1.00	16490	FURMAN M-8L 8 OUTLET W/ LIGHTS	89.95	89.95	69.95

TOTAL

9658.87

6384.41

THE ABOVE PRICING INFORMATION IS SUBJECT TO OUR STANDARD CONDITIONS, A COPY OF WHICH IS ATTACHED.

DAVIS REMODELING & CONSTRUCTION

PAINTING*PLUMBING*CARPENTRY* INSULATION * WINDOWS* REPAIRS * ROOFING* WIRING* CONCRETE

Estimate

Date: September 26, 2006

Name: Mr, Mrs Duett

Contact Phone: (513) 541-4348

Worksite Location: 545 Burr Oak St, Cincinnati, OH 45232

Billing Address: 545 Burr Oak St, Cincinnati, OH 45232

Scope of Work to be performed

Basement

Remove all water damage drywall thru out basement and garage, remove all panel remove all floor tiles, remove all wood framing, Remove all base boards, remove all trim, remove garage door, remove laundry room screen door, and basement entry door, remove hot water tank with expanded tank, and remove furnace, remove all things due to sewer break and water back up to two feet deep at a cost of \$2600.00

Install new furnace install every thing that was damage and destroy and remodeling whole basement and laundry room and some of garage areas remove all water damage things in basement. Install new hot water tank; install every thing that I list above.

Install new furnace at a cost of \$5000.00

Install new hot water tank at a cost of \$ 700.41

Install new two-car garage door at a cost of \$ 1500.00

Install new basement laundry room entry door and screen door at a cost of \$ 750.23

Framed the whole basement and one wall in garage at a cost of \$4000.00

Install all new insulation at a cost of \$ 1875.17

Install all new floor tiles at a cost of \$ 1200.00

Install all new baseboards around the whole basement at a cost of \$700.00

Install all new trim around doors opening at a cost of \$350.00

Install all new drywall and panel at a cost of \$4000.00

Prime and paint entire whole basement and doors and trim and baseboards at a cost of \$1750.00

Total Cost: \$ 24425.81

We guarantee labor

We are fully insured

Thank you for your business!!!

As full and complete consideration DAVIS REMODELING & CONSTRUCTION (DRC) has calculated this estimate based on a visual walk through of the above-mentioned property. If extra work is needed, a second cost proposal will be submitted to the property owner or authorized agent, which must be approved prior to the work being completed.

By signing this estimate you agree to accept the bid and authorize the Contractor to begin work upon receipt of the required deposit of \$13000.00 Balance due upon completion. \$11425.81

The undersigned agrees and accepts these conditions described herein this _____ day of _____ 2006, thereby acknowledging their acceptance of the terms and conditions set forth herein.

By: _____
Property Owner (Authorized Agent)

Date

By: _____
Davis Remodeling & Construction (Contractor)

Date

LOC.

JOB START
TIMECOMPLETION
TIME

CUSTOMER NAME (Financially Responsible Party)

JOB CONTACT NAME

JOB ADDRESS

CITY

STATE

ZIP

BILLING ADDRESS (if Different)

PH1

PH2

E-MAIL ADDRESS

CLUB

MEMBER?

☐ YES ☒ NO

ORIGINAL REASON FOR THE CALL:

SUMMARY:

CONDITION OF EQUIPMENT: GOOD FAIR POOR

AGE

☐ See attached sheet
for additional information

WORK AUTHORIZATION: I, the undersigned, am owner/authorized representative/tenant of the premises at which the work above is being done. I hereby authorize you to perform recommendations, and to use such labor and materials as you deem advisable. Unless prior authorization for billing, payment for all work done is due upon completion (C.O.D.). A \$10.00 BILLING CHARGE is due thereafter. An office billing charge and/or finance charge of 2% per month (24% per annum) will be added after 10 days past due. I agree to pay reasonable attorney's fees, court costs and collection fees in the event of legal action. I have read this contract, and agree to be bound by all the terms contained herein. All old parts will be removed from premises and discarded, unless otherwise specified herein.

I HEREBY AUTHORIZE YOU
TO PROCEED WITH THE
ABOVE WORK AT THE UP
FRONT FEE OF \$

Signature: _____

**I RECOMMEND A FREE
SYSTEM EVALUATION
BY OUR COMFORT
CONSULTANT.**

Initial ONE

Qty.	Task#	Description	Standard Rate	Value Rate
1		Diagnostic Charge	3775	
1		Club Membership	23900	1675
0	TP181	7.5 hr / 1.5 hr 60 min (100% rate)	1500.00	
0	7.5 hr	1.5 hr 60 min (100% rate)	77971	55471
0		(Korean water heater hoses to get 800)	950.00	78000
		UNL, paid monthly through etc.		

TOTAL

3995

☐ Pre-Approved Financing Terms:☐ Please pay from this document - Work performed C.O.D.**PAYMENT METHOD**Cash ☒ Check ☐ MC ☐ Visa ☐ Disc ☐ AmEx ☐

Check #: _____

Auth #: _____ Security Code: _____

Card #: _____ Exp: ☐ ☐ ☐ ☐**WANT TO PAY LESS?**

My Service Technician presented me with a Club Member Program and explained the benefits

I want to save money and
become a Club Member

OR

At this time I decline the offer

Initial ONE

☐☐**CLUB MEMBER SAVINGS**

\$

**CUSTOMER SERVICE
IS OUR #1 FOCUS**

If you are not completely
satisfied for any reason, please
call and ask to speak with the
Customer Service Manager.
Your feedback is very
important to us.

**THANK YOU
FOR CHOOSING US
FOR YOUR
SERVICE NEEDS!**

ACCEPTANCE OF WORK PERFORMED: I acknowledge satisfactory completion of the above described work and that the premises has been left in satisfactory condition. I understand that if my check does not clear, I am liable for the check and any charges from the bank. I agree to pay 2% per month for past due contracts (minimum charge \$15). In the event that collection efforts are initiated against me, I shall pay for all associated fees at the posted rates as well as all cost of collection fees and reasonable attorney fees. I agree that the amount set forth in the space marked "TOTAL COST" is the total flat price I have agreed to.

SIGNATURE

I decline to have the
recommended work
performed at this time.

SIGNATURE

DATE

SIGNATURE



91608

Customer:

Date:

Duff
07/11/06

Observations:

- 1- Unit to have over the frame A/C + water heater
- 2- The P-vent had 12-18" of water in it that would have caused some no water heater gas valves and the furnace, boiler water.
- 3-

Solutions:

- 1- The frame + water were affected due to water through operation. The P-vent, have been replaced. A drafty and the water heater issue.
- 2- The gas valve on the water heater and the P-vent assembly was broken and water was in. Safe and effective operation. Is questionable. And P-vent in safe. Recover to the P-vent the water heater. Fixing it may not solve a lot of the issues. The frame is older and it has a lot of bleed in the lower section and in the heat exchanger.
- 3- The main blower motor has been submerged and the blower winding has broken in it. The motor being under water and the pressure of the gas has also damaged the furnace A/C operation. Potential blower failure.
- * The A/C was opened for the furnace.



KOEHLER CONSTRUCTION, INC.

Remodeling Specialist

3151 Terra Aqua Ln. 3169 Heron
GOSHEN, OHIO 45122 Cove(513) 827-6800
(513) 625-3654Submitted
To:

Robert Oueh

545 Burr Oak St

Cinti OH 45232

PHONE

541-4348 H

DATE

8/18/06

Page No. _____ of _____ Pages

Remodeling Proposal

CONTRACTOR LICENSE NO.

JOB PHONE NO.

JOB NAME / NO.

JOB LOCATION

Same

ARCHITECT

DATE OF PLANS

APPROXIMATE STARTING DATE

APPROXIMATE COMPLETION DATE

We hereby submit specifications and estimates for:

(Basement) Demo + Trash Haul, Permit, 8'x7' Garage Door, 30"
Entry Door w/ screen, 12"x12" Vinyl Floor, Frame All Walls +
Insulate Exterior walls, Drywall All walls, Electric Plugs
To Code, Soffit Drywall, All Base + Trim, 2 Heat Vents,
Paint All walls + Trim.

1 year warranty on Workmanship, Fully Insured

This Proposal does not include:

No Ceiling Work

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices.

Any alteration or deviation from the above specifications involving extra costs will be done only upon a written change order. The costs will become an extra charge over and above the estimate. This is to include, but is not limited to, hidden damages that are uncovered during the course of the job and additional work required by local building inspectors.

All elements of this agreement are contingent upon strikes, accidents or delays beyond our control. The estimate does not include material price increases, or additional labor and materials which may be required should unforeseen problems arise after the work has started.

You, the buyer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. Cancellation must be done in writing.

We Propose hereby to furnish material and labor - complete in accordance with above specifications, for the sum of:

Twenty Three Thousand four hundred —

00
Too dollars (\$ 23,400).

Payment to be made as follows:

100% Down

1/2 @ Start

1/2 @ Completion

Michael

Authorized Signature

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

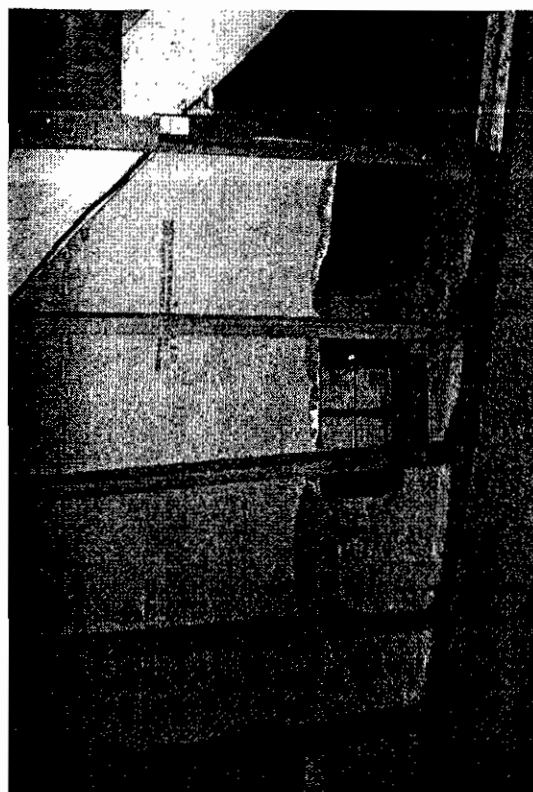
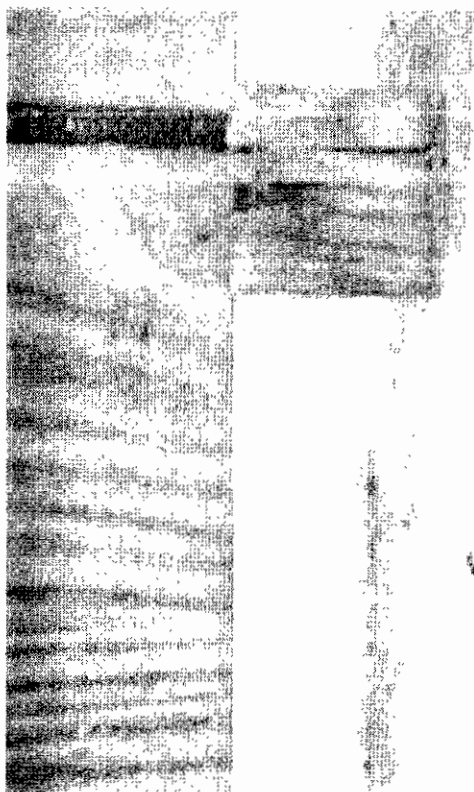
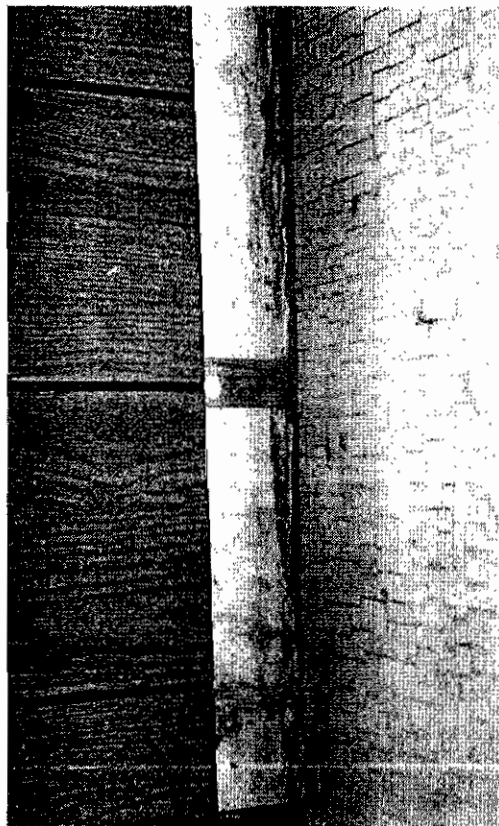
Signature _____

Date _____

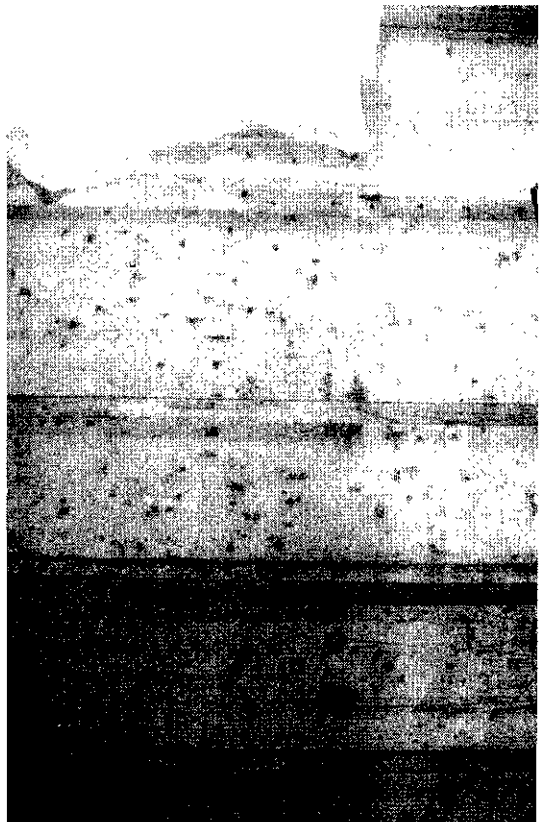
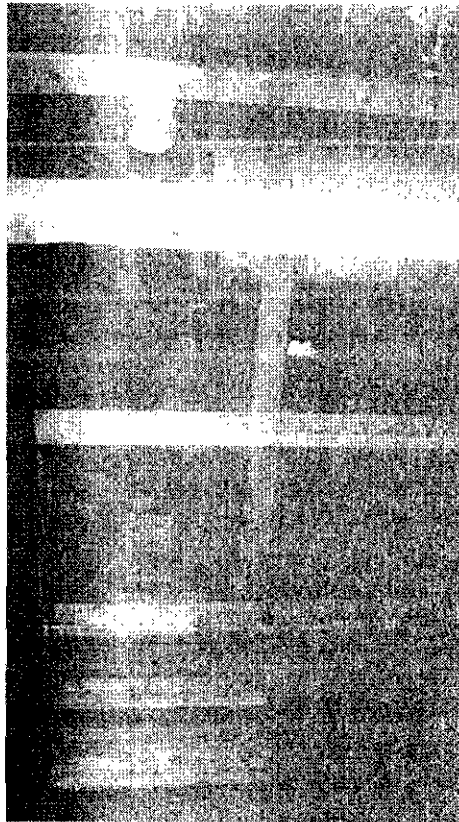
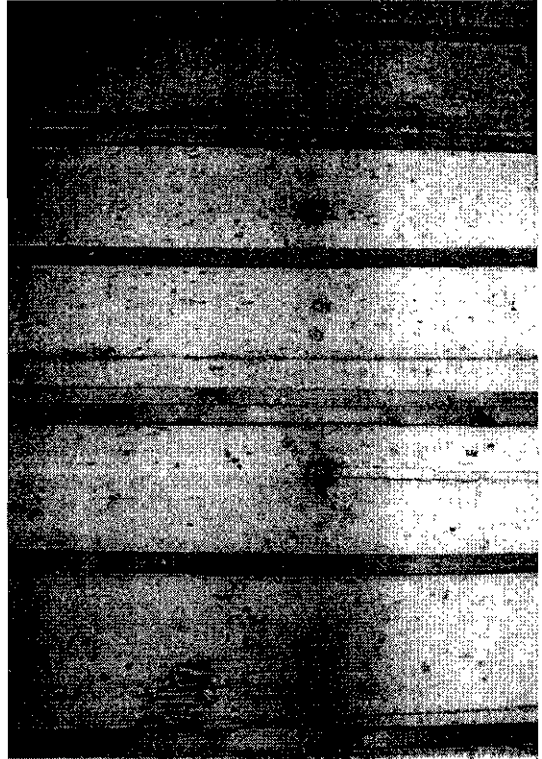
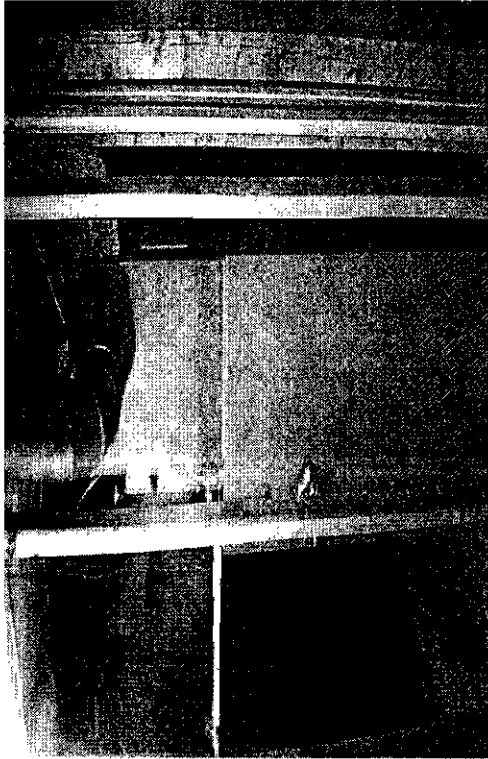
Signature _____

Date _____

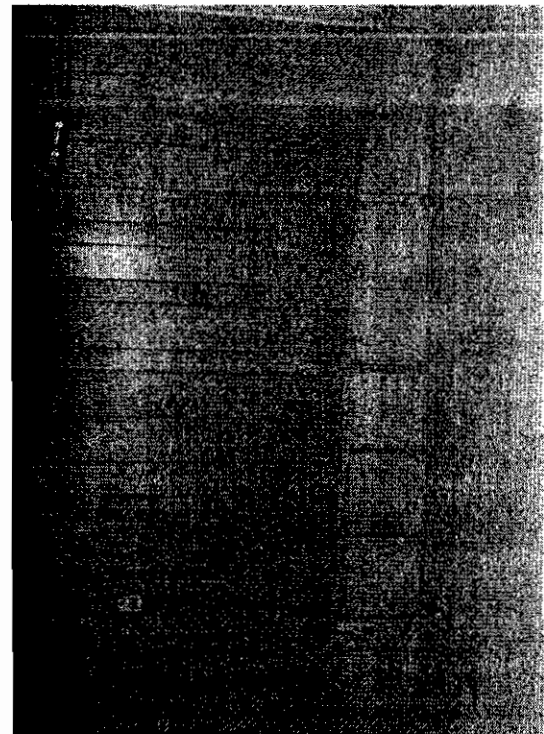
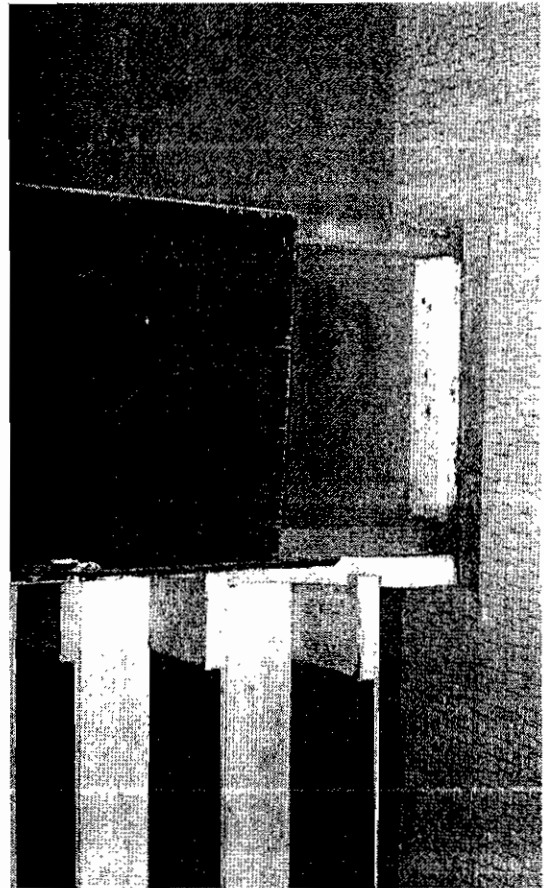
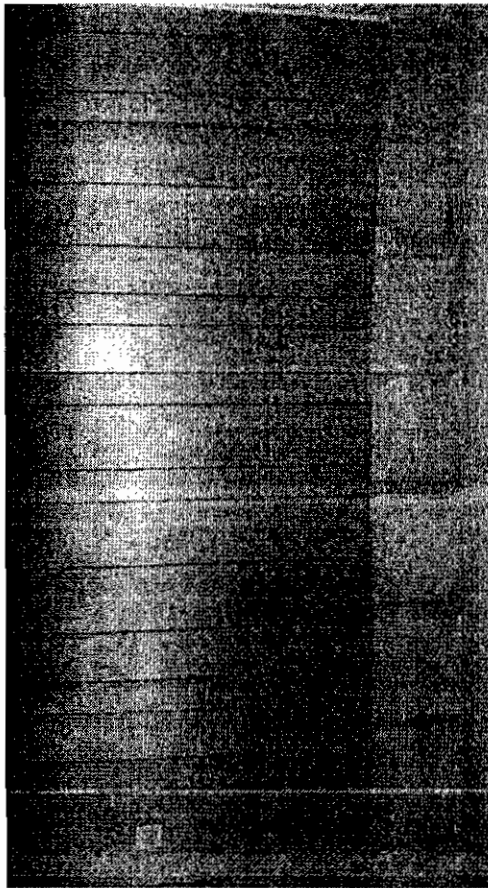
Basement Damage



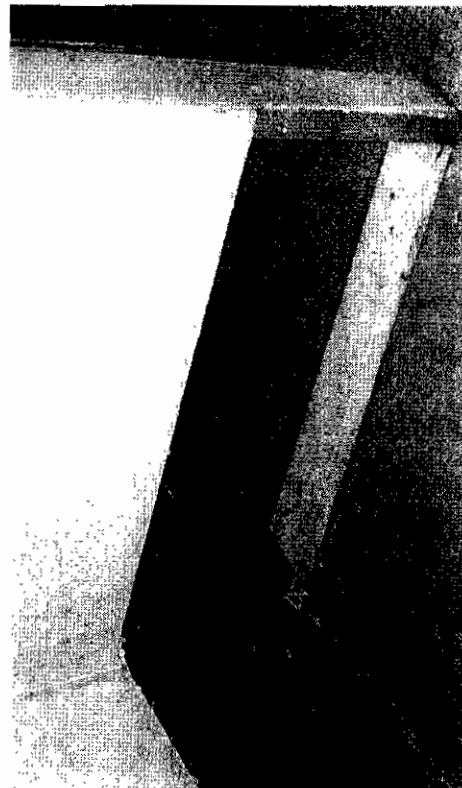
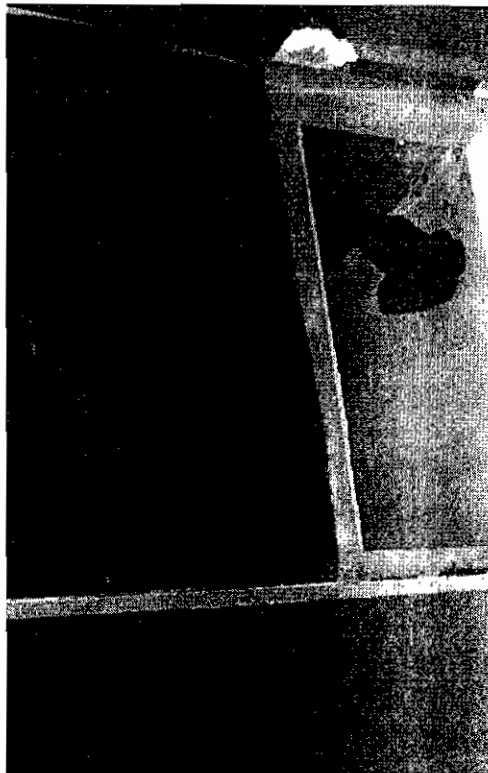
Basement Damage



Basement Damage



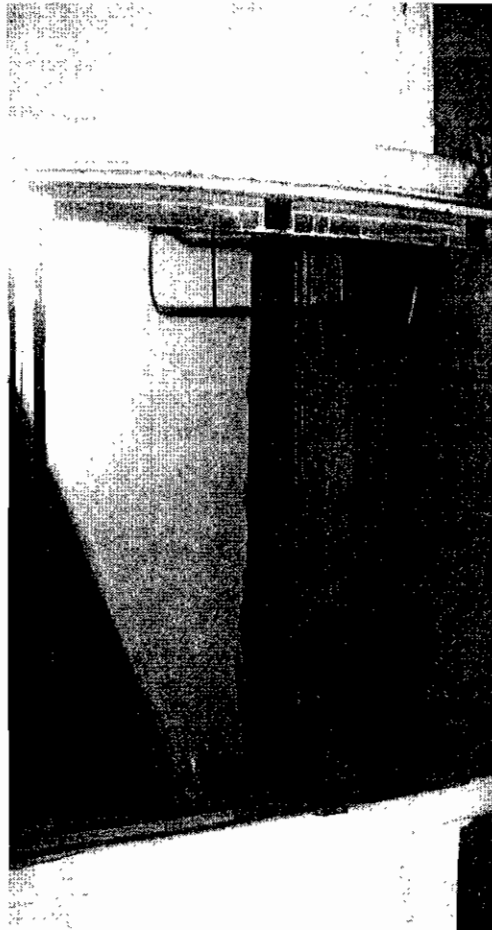
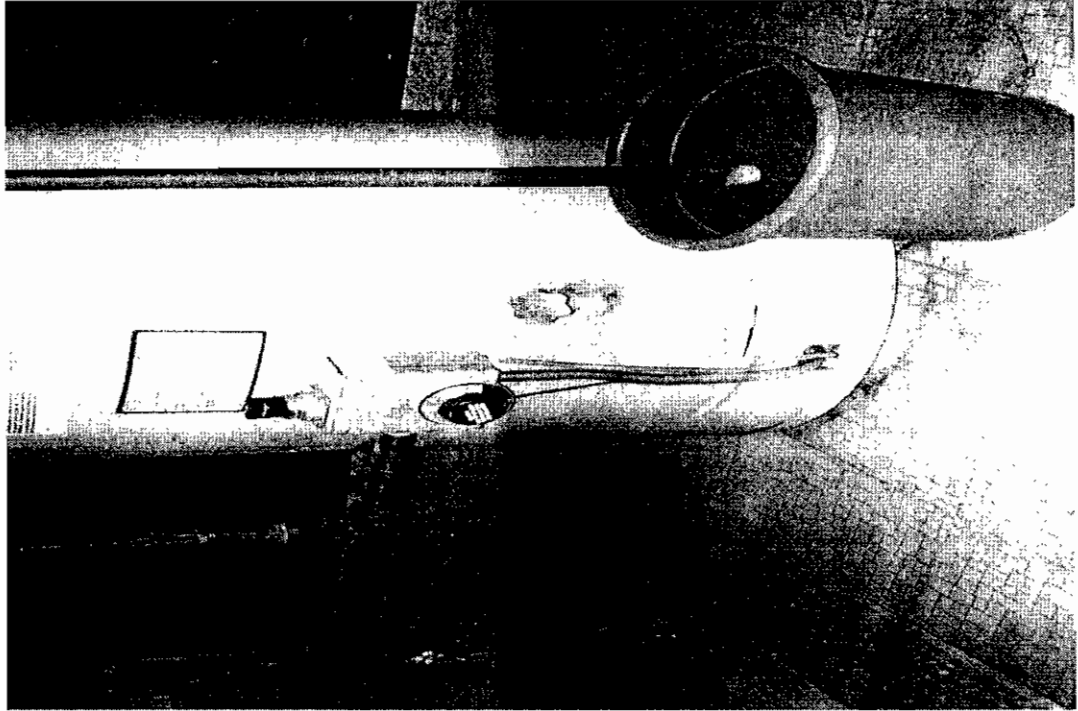
Basement Damage



Basement Damage



Basement Damage



Terry Nestor
City of Cincinnati Solicitor's Office
801 Plum St, Room 214
Cincinnati, Ohio 45202
Fax: (513) 352-1515

Dear Mr. Nestor:

I live at 545 Burr Oak St. I am writing to follow up on my damages claim with the City/MSD because of the sewage backup in my basement on 2006

On February 2, 2007, I received an offer of \$18,000.00 on my damages claim from the City. I disagree with the amount offered. I have enclosed photos of the walls in my basement that were removed by the workers hired by the City/MSD. This action has caused my family and I to go through these subzero temperature days in a very cold state. I also had a door removed and two others soaked in sewage. My furnace and hot water heater were also damaged. These items alone will cost more than the offer given by the city.

I am a disabled veteran and a kidney transplant patient. A lot of the equipment that we had was soaked in sewage that entered in our basement. My immune system as a kidney transplant patient is already compromised. With the sewage entering into our basement this could further compromise my health. So with the basement, audio and weight equipment, tools and more that were damaged I would like to make a counter-offer. My counter-offer is \$41,000.00. I would like to also inform you that we did not receive any compensation from our insurance company.

If I do not hear back from the City by ten business days March 19, 2007, I intend to file my Request for review on this issue with the Federal Court.

Sincerely,

Robert W. Duett
545 Burr Oak St.
(513) 541- 4348

